

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	CIVIL ACTION NO.
In re Vaso Active Pharmaceuticals, Inc.	)	No. 04-10708 (RCL)
Securities Litigation	)	
_____	)	
_____	)	
KOUROSH ALIPOR, Individually and	)	
On Behalf of All Others Similarly Situated,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	04-10708 (RCL)
VASO ACTIVE PHARMACEUTICALS, INC.,	)	
JOHN J. MASIZ, AND JOSEPH FRATTAROLI	)	
Defendants.	)	
_____	)	

**JOINT MOTION AND [PROPOSED] ORDER  
TO EXTEND TIME TO RESPOND TO THE COMPLAINT**

The parties hereto, by and through their counsel, hereby agree to extend the time within which defendants Vaso Active Pharmaceuticals, Inc, John J. Masiz and Joseph Frattaroli (collectively the “Defendants”) must answer, move or otherwise respond to the complaint in this action. The defendants agree to accept service of the complaint in the above-entitled action, the date of service to be deemed the date of this joint motion.

Plaintiffs’ counsel has represented that plaintiffs will file an amended complaint in these actions. Thus, the parties respectfully request that the following pleading and briefing schedule be ordered in these cases:

- The consolidated amended complaint shall be due thirty-five (35) days after the Court's selection of a lead plaintiff pursuant to § 78u-4(a)(3) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78a et seq.), as amended by the Private Securities Litigation Reform Act of 1995 (the "Reform Act").
- Defendants shall have thirty-five (35) days following the filing of the consolidated amended complaint to answer, move or otherwise respond to the complaint.
- If the Defendants move to dismiss the consolidated amended complaint, plaintiffs shall have thirty-five (35) days from their receipt of Defendants' motion to file their opposition thereto.
- Following the receipt of plaintiffs' opposition, Defendants shall have twenty (20) days to file a reply brief in support of their motion to dismiss.

Dated: June 30, 2004

KOUROSH ALIPOR,  
Individually and On Behalf of  
All Others Similarly Situated,

By his attorneys,

/s/ Alan L. Kovacs

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VASO ACTIVE PHARMACEUTICALS, INC.,  
JOHN J. MASIZ, and JOSEPH FRATTAROLI,

By their attorneys,

/s/ Colleen Dunham Henschke

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IT IS SO ORDERED:

\_\_\_\_\_  
United States District Judge

Dated: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served on this 30th day of June, 2004 either electronically or by overnight mail on:

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Boston, MA 02135

**/s/ Colleen Dunham Henschke**